

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:21CR306
)	
vs.)	
)	ORDER
DANIEL M. GUTIREZ,)	
)	
Defendant.)	
)	

This matter is before the court on the defendant, Daniel M. Gutirez's, Unopposed Motion to Continue Trial [64]. The court has been advised that the co-defendant does not object to the continuance. On the basis of the statements set forth in the motion, the undersigned magistrate judge finds good cause for the requested continuance. Accordingly,

IT IS ORDERED that the Unopposed Motion to Continue Trial [64] is granted as follows:

1. The jury trial, **as to both defendants**, now set for **January 24, 2023**, is continued to **March 28, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and March 28, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. **No further continuances will be granted without requesting a hearing before the undersigned magistrate judge.**

DATED: January 10, 2023

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge